*Total of

forms are submitted.

PTO/SB/32 (09-08)

Approved for use through 10/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR ORAL HEARING **BEFORE** THE BOARD OF PATENT APPEALS AND INTERFERENCES 31960.0104 In re Application of I hereby certify that this correspondence is being deposited Pemberton, et al. with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR Application Number December 12, 2003 10/734,461 1.8(a)] on For Method and Device for Preventing Pets from Clawing Home Furn Signature_ Examiner Art Unit Typed or printed 1791 Mark A. Osele Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application. s 1.030 The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3)) Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced s 515 by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2225 A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the applicant/inventor. Signature assignee of record of the entire interest. George R. Schultz See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. Typed or printed name (Form PTO/SB/96) attorney or agent of record. OCT Z3 Z008 1 Registration number 35,674 attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. Telephone number NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

This collection of information is required by 37 CFR 41.20(b)(3). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-919910/t234-83000ti6FEORES 99090020 502225

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BIETLECTUAL PROPERTY ATTORNEYS



October 23, 2008

MAIL STOP AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U. S. Patent Application Serial No. 10/734,461

"METHOD AND DEVICE FOR PREVENTING PETS FROM CLAWING

HOME FURNISHINGS" Atty. Docket: 31960.0104

Sir:

Enclosed for filing are the following documents:

- 1. Transmittal letter (in duplicate);
- 2. Request for Oral Hearing;
- 3. Form PTO/SB/32;
- 4. Certificate of Mailing;
- 5. Check in the amount of \$515.00; and
- 6. Postcard receipt.

The Commissioner is hereby authorized to charge any underpayment of fees, or credit any overpayment, to Deposit Account No. 50-2225.

Very truly yours

George 'Russ' Schultz

GRS:slc Enclosures

Schultz & Associates, P.C. INTELLECTUAL PROPERTY ATTORNEYS

OCT 2.7 1008 & October 23, 2008

MAIL STOP AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Very truly yours,

George "Russ" Schultz

GRS:slc Enclosures

PATENT Ser. No. 10/734,461

Attorney Docket: 31960.0104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

PEMBERTON, ET AL.

Serial No.:

10/734,461

Filed:

12/12/2003

Title:

METHOD AND DEVICE FOR PREVENTING PETS FROM CLAWING

HOME FURNISHINGS

Examiner:

Mark A. Osele

Art Unit:

1791

MAIL STOP AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

REQUEST FOR ORAL HEARING

In response to the Examiner's Answer mailed October 10, 2008, Appellant hereby requests and oral hearing regarding the above application.

This Request for Oral Hearing is accompanied by a check in the amount of \$515.00 (statutory fee for filing a Request for Oral Hearing for a small entity pursuant to 37 CFR § 41.20(b)(3)). The Commissioner is hereby authorized to charge any additional fee due in connection with the filing of this paper or credit any overpayment to the Schultz & Associates, P.C. Deposit Account No. 50-2225.

Attorney Docket: 31960.0104 PATENT Ser. No. 10/734,461

Dated: October 23, 2008.

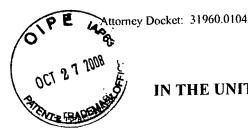
Respectfully submitted,

George R. Schultz

Registration No. 35,674

SCHULTZ & ASSOCIATES, P.C. One Lincoln Centre 5400 LBJ Freeway, Suite 1200 Dallas, Texas 75240

Telephone: 214-210-5940 Facsimile: 214-210-5941



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PEMBERTON, ET AL.

Application No.

10/734,461

Filed:

12/12/2003

For:

METHOD AND DEVICE FOR PREVENTING PETS

FROM CLAWING HOME FURNISHINGS

Examiner:

Mark A. Osele

MAIL STOP AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

The undersigned hereby certifies that the following documents:

- 1. Transmittal letter (in duplicate);
- 2. Request for Oral Hearing;
- 3. Form PTO/SB/32;
- 4. Certificate of Mailing;
- 5. Check in the amount of \$515.00; and
- 6. Postcard receipt.

relating to the above application, were deposited as "First Class Mail", with sufficient postage thereon, with the United States Postal Service, addressed to MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 23, 2008.

Mailer

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